

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
DEMETRIUS WARE,  
  
Defendant.

Case No. 2:20-cr-00029-RFB-BNW  
  
MINUTE ORDER

WHEREAS, The Chief Judge of the District due to the global pandemic has declared an emergency in this District pursuant to General Orders 2020-02 through 2020-08, which have significantly limited and restricted courthouse operations;

WHEREAS, the Chief Judge of this District in General Order 2020-05 has specifically authorized video teleconferences and telephone conferences in criminal cases pursuant to Section 15002(b) of the CARES Act;

WHEREAS, this Court has reviewed the record in this case and finds pursuant to Section 15002(b) that delay of the *[70] 12D Request for Modification Hearing* until an in-person hearing can be safely arranged would do harm to the interests of justice as to the Defendant by unnecessarily delaying a resolution at the hearing;

Accordingly,

IT IS ORDERED that a Video *Hearing re: [70] 12D Request for Modification Hearing* is set for September 21, 2021 at 1:00 PM in LV Courtroom 7C before Judge Richard F. Boulware, II.

IT IS FURTHER ORDERED that the parties shall submit any relevant written submissions, including but not limited to stipulations, motions, plea documents, waivers or sentencing memoranda, regarding this hearing at least the morning prior to the hearing set in

1 this Order. If such a submission is a sentencing memorandum, the parties shall include their own  
2 position on the criminal history of the individual to be sentenced.

3 IT IS FURTHER ORDERED that members of the public seeking to have access to this  
4 hearing must, prior to the day of the hearing, contact the Court by email to request access to and  
5 receive permission to listen this hearing by telephone. Members of the public granted such access  
6 must join the remote proceedings prior to their official commencement. Once a remote proceeding  
7 has begun, no access will be granted to the proceeding.

8 IT IS FURTHER ORDERED that no one or entity or organization, including but not  
9 limited to counsel, counsel's agents or staff, the Defendant, law enforcement agents/officers,  
10 members of the public, who participate in or listen to this proceeding may record it in any manner.  
11 Any individual, entity or organization that records this proceeding without written authorization  
12 of the Court shall be subject to civil and/or criminal contempt penalties by this Court.

13 IT IS FURTHER ORDERED that defense counsel shall provide all necessary documents  
14 to the defendant in advance of the hearings, including the **waiver of in person appearance form**  
15 attached to this order.

16 IT IS FURTHER ORDERED that defense counsel shall contact the Courtroom  
17 Administrator at "blanca\_lenzi@nvd.uscourts.gov", or (702) 464-5470 with information on how  
18 the defendant will participate in the video conference. If the defendant will be appearing at the  
19 hearing using his own equipment, the defense counsel must confirm with the Courtroom  
20 Administrator that the defendant's equipment is compatible with the Court's conference  
21 technology. Defense counsel must also provide the defendant's email address to facilitate the  
22 remote connection and the defendant's phone number in the event of any technical difficulties.

23 IT IS FURTHER ORDERED that the parties shall file any necessary signed documents at  
24 least the morning prior to the scheduled hearing consistent with General Order 2020-05.

25 DATED: September 20, 2021.

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28 RICHARD F. BOULWARE, II  
United States District Judge